

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In lines 24-25 of page 5, "copending U.S. patent application 09/574,622, filed May 19, 2000" has been corrected to -- copending U.S. patent application 09/574,622, now U.S. Patent 6,804,252, filed May 19, 2000 --.

2. The following is an examiner's statement of reasons for allowance:

Regarding claim 1, the prior art of record does not disclose, suggest, or make obvious the limitation "wherein the offset value is determined based on at least one of a volume of message traffic, an availability of channels, and a likelihood of processing and enqueueing of the return messages before a next time slot" in combination with all other limitations of the claim. Further, Examiner would like to refer to Applicant's remarks of August 20, 2007. On pages 10-11 of these remarks, Applicant has indicated (in contrasting the present invention with the Reese reference) that the time slot discussed in the claims is a single time slot and not a frame consisting of smaller time slots. Consider the last sentence of the first full paragraph on page 10 in which applicant argues that Figures 3 and 6 are distinctly different embodiments and that the overlap of less than a time slot in the claims corresponds to that in Figure 3. Thus, the time slot in the claims should not be interpreted according to Figure 6.

Art Unit: 2619

Claim 13 is allowed for similar reasons. Claims 2, 7-12, 15-21, and 25 are allowable as they depend from one of the allowable independent claims cited above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROBERT C. SCHEIBEL whose telephone number is (571)272-3169. The examiner can normally be reached on Mon-Fri from 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing F. Chan can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Wing F. Chan/
Supervisory Patent Examiner, Art Unit 2619
6/3/08

Robert C. Scheibel
Examiner
Art Unit 2619

/R. C. S./
Examiner, Art Unit 2619